IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

THURSDAY, THE 4TH JANUARY 2007 / 14TH PAUSHA 1928

WP(C).No. 34384 of 2006(R)

PETITIONER:

A.J.DAVID,
S/O.LATE A.V.JOSEPH,
ACHANGADAN HOUSE, IRINJALAKUDA,
THRISSUR DISTRICT, NOW WORKING AS JUNIOR SUPDT.,
MALA GRAMA PANCHAYATH, THRISSUR.

BY ADV. SRI.P.VIJAYA BHANU
SMT.K.S.CHANDRIKA

RESPONDENTS:

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1. THE DIRECTOR OF PANCHAYATHS,
THIRUVANANTHAPURAM.

2. THE DEPUTY DIRECTOR OF PANCHAYATHS,
THRISSUR.

3. THE SECRETARY,
MALA GRAMA PANCHAYATH.

4. T.RADHA, JUNIOR SUPDT.,
KADAVALLUR GRAMA PANCHAYATH,
NOW JOINED IN MALA GRAMA PANCHAYATH,
THRISSUR.

BY GOVT.PLEADER SRI.BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 04/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J

W.P.(C)NO. 34384 of 2006

Dated this the 4th day of January, 2007

JUDGMENT

The challenge is to Ext.P2 order of transfer passed by the first respondent. The petitioner's name is shown against Sl.No.34 in Ext.P2. He joined duty as Junior Superintendent on 16.8.2006. As per Ext.P2 order dated 4.11.2006, he stands transferred to Kangazha Grama Panchayath in Kottayam District. The grievances of the petitioner are as follows:

> 1) He has not been paid pay and allowances from September 2006 onwards though he had worked as Junior Superintendent in the Panchayath where he was posted.
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> 2) He has been transferred from Thrissur District to Kottayam District, within a period of three months.

2. The contention that the order of transfer is liable to be vacated, as far as the petitioner is concerned, need not be gone into in detail, since it appears on the face of Ext.P2, that the transfer and posting was necessitated consequent on the promotion of Junior Superintendents and vacancies arising in various Grama Panchayaths. The personal difficulties of the petitioner are matters to be brought to the notice of the first respondent or any higher authority for appropriate redressal. The petitioner has submitted Ext.P4

representation before the first respondent to reconsider the order of transfer, as far as he is concerned and has suggested some other Grama Panchayaths in Thrissur District where the first respondent may be able to give him a posting. Therefore, there shall be an order directing the first respondent to consider Ext.P4 and take appropriate decision and communicate the same to the petitioner within one month from the date of receipt of a copy of the judgment along with a copy of the writ petition.

2. As far as the claim for pay and allowances from September 2006 onwards is concerned, there shall be an order directing the first respondent to take a decision with regard to the claim of the petitioner for emoluments and whatever amount is due to him as pay and allowances paid, as expeditiously as possible, in any event, before 31st of this month. The petitioner shall produce a copy of the judgment before the first respondent or due information and compliance.

K.K.DENESAN, JUDGE

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